

### **REMARKS**

Favorable reconsideration of this application, as presently amended, is respectfully requested. Claims 2-7 are now active in this application. New claims 5-7 have been added. Claim 1 was cancelled and claims 2 and 3 rewritten in independent form.

#### **Rejection under 35 USC 112**

Claim 1 was rejected under 35 USC 112, second paragraph as being vague. The examiner felt that the phrase “long term basis” was objectionable. Claim 1 has been cancelled rendering this rejection moot. In rewriting claims 2 and 3 to include claim 1, this phrase has been changed to “during a time period”. It is believed that this phrase is not vague.

#### **Rejection under 35 USC 102**

Claim 1 was rejected under 35 USC 102 as being anticipated by Watterson et al (US published application 2002/0045519). This rejection is respectfully traversed. Claim 1 has been cancelled, rendering this rejection moot.

#### **Rejections under 35 USC 103**

Claims 2 and 3 were rejected under 35 USC 103 as being obvious over Watterson et al in view of Brown et al (US patent 6702719). Claim 4 was rejected under 35 USC 103 as being obvious over Brown et al in view of Watterson et al (US published application 2002/0022551). These rejections are respectfully traversed.

In regard to claims 2 and 3, the examiner states that Watterson ('519) shows a data transmission system for linking multiple exercise facilities, but does not show the steps of transmitting the data through the internet or a disk. The examiner relies on Brown et al to show these features. Applicant submits that these features are not seen by Brown et al and are not obvious thereover.

Brown shows a monitor 40 connected to a processor 48 through the internet or to storage device 46. Claims 2 and 3 require 2 microprocessors. The monitor 40 of Brown is not a microprocessor, but merely a monitor. Brown shows the monitor of the exercise device

connected through the internet to a microprocessor, but does not show a microprocessor connected through the internet to another microprocessor. Thus claim 2 defines over these references. Applicant has now amended claims 2 and 3 to include a description of the first microprocessor as processing data and outputting reference values for users. Applicant submits that the monitor of Brown does not include these functions.

Claim 3 describes the transmission of data from one microprocessor to another by a disk. While Brown shows the storage of data in a storage device (which could conceivably be a disk), it does not show the transmission of data from one microprocessor to another using a disk. Accordingly, claim 3 is allowable.

Claims 2 and 3 have also been amended to make it clear that the second microprocessor is at a different location than the first microprocessor.

In regard to claim 4, the examiner states that the Brown reference shows a transmission system for linking exercise facilities, but does not show a storage device housed in the slot of the data reader. The examiner relied on Watterson ('551) to show a memory stick used to store data.

However, the examiner has failed to show the formation of storage segments according to properties of different exercise facilities as is now claimed. Applicant has reviewed the two cited paragraphs and does not see these features described. Applicant has also added the term "preset" to describe the memory buffer. This is disclosed on page 6, line 10. Applicant submits that this feature is also not seen in the reference.

Claim 4 has also been amended to describe the microprocessor for processing data and outputting reference values of users. The data reader has also been described as reading user data when the exercise is finished. Applicant submits that claim 4 is additionally allowable.

New claims 5-7 have been added to describe various other features of the embodiment of Figures 3 and 4. These features are described in the specification from page 5, line 19 to page 6, line 21. No new matter has been added. These features are also not seen in the references.

### Conclusion

In view of the foregoing amendments and remarks, it is believed that the application is in condition for allowance. If the examiner believes that any further amendments would place the

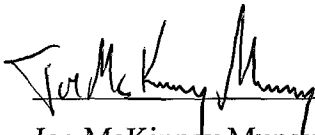
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application in better condition for allowance, the examiner is invited to contact the undersigned attorney at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3828 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; in particular, extension of time fees.

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